

DOCUdavit Solutions Inc. Privacy Policy

Manitoba

Last Updated: June 22, 2010

This Privacy Policy (the “Policy”) sets out how DOCUdavit Solutions Inc. (DSI) complies with its responsibilities related to patient personal health information (PHI) on behalf of physicians or other healthcare providers in the province of Manitoba who have closed their practice. DSI is committed to preserving and safeguarding an individual patient’s privacy and the confidentiality and security of their PHI. As part of this commitment, we want you to be fully aware of what happens to the PHI in our possession.

DSI complies with the privacy legislation of the last province in which the physician practiced (the “Originating Province”), as well as the *Personal Information Protection and Electronic Documents Act* (PIPEDA). In Manitoba, the Originating Province legislation is the *Personal Health Information Act* (PHIA). Physicians and other healthcare providers in the Province of Manitoba are known as “Trustees”. They contract with DSI to store and otherwise manage their records of patient PHI. DSI acts as an information manager (IM) of the Trustees in performing these services. Accordingly, DSI only acts with the authorization and on behalf of Trustees when managing PHI. Trustees maintain control over the PHI in the possession of DSI and remain accountable for it. DSI collects, uses, discloses, retains or disposes of PHI permitted by the Trustees in our Services Contracts.

Patient Access to Their Own Personal Health Information

Trustees who have contracted with DSI have authorized DSI to provide their former patients (or persons who are authorized to exercise rights on behalf of an individual patient) with copies of their records of PHI and to make such records available for examination by the individual or their authorized representative. In the event of the Trustee’s death, this authorization extends to their personal representative

Upon receipt of a written request confirming the patient’s identity and the fact that they were a patient of a Trustee for whom DSI provides services, DSI will provide the patient or their representative with an estimate of the fee. This fee estimate will be provided prior to making the record available for examination or providing a copy of it. Upon payment of the fee, DSI , as per the individual’s request, will make the record of PHI available for examination or provide a copy to the patient, or as directed, to another individual such as the patient’s new physician.

- DSI will respond to access requests within 30 days.
- DSI will charge a reasonable fee for access, in accordance with the recommendations of Doctors Manitoba or as required by law, plus the cost of

applicable taxes and shipping costs.

Use of Personal Health Information

DSI uses PHI solely for the purposes authorized by Trustees as set out in our Services Contract and in compliance with PHIA. DSI does not use PHI if other information would serve the purpose; nor does it use more PHI than is reasonably necessary to meet these purposes.

We use the PHI to convert paper records into digital file storage, destroy the paper records, comply with patient requests for access to their own records of PHI, and to provide access to the Trustees of their patient PHI..

Disclosure of Personal Health Information

DSI discloses PHI in its possession in compliance with PHIA. DSI does not disclose PHI if other information would serve the purpose; nor does it disclose more PHI than is reasonably necessary to meet these purposes.

Unless required by law or as permitted by the HIC for whom it acts as an agent, DSI will disclose an individual's PHI only with the express written consent of the patient (or persons who are authorized to exercise rights on behalf of an individual patient). DSI will maintain a record of any requests made for a patient's PHI.

Security of Personal Health Information

DSI will take steps that are reasonable in the circumstances to ensure that the PHI in its possession is protected against theft, loss and unauthorized use or disclosure and to ensure that records of PHI are protected against unauthorized copying, modification, disposal or destruction. DSI has implemented physical, electronic, and administrative safeguards to protect the privacy of individuals with respect to their PHI and to maintain the confidentiality of the PHI in its possession.

All DSI staff have signed employment agreements which include confidentiality and non-disclosure provisions. These agreements provide that employees may be subject to disciplinary sanctions, up to and including termination, in the event that they do not comply with these provisions.

The PHI is stored in and only accessed in Canada.

Retention and Destruction of Personal Health Information

There are numerous regulations within Canada and each Province that apply to the storage and maintenance of PHI. To ensure compliance with the maximum retention

periods, DSI's policy is to retain PHI for a minimum of 10 years. In addition DSI will maintain the PHI of minors for an additional period of time as directed by provincial regulations in effect from time to time..

Paper records are destroyed after they have been scanned and a copy has been provided to the HIC. DIS stores a copy of the scanned records. DSI destroys the scanned records when they are no longer required in accordance with the DSI retention schedule, and upon the direction of the Trustee , The PHI contained in paper and electronic records is destroyed in a secure manner that ensures that the information cannot be reconstructed in any way.

Privacy Breaches

In the event that PHI of a HIC's former patient is stolen, lost or accessed by unauthorized persons, DSI will, at the first reasonable opportunity, notify the Trustee for whom it acts as an agent. In accordance with its Services Contracts with Trustees, DSI will, at the first reasonable opportunity, notify the individuals whose PHI has been subject to the breach and will report the privacy breach to the Ombudsman Manitoba as is deemed necessary considering the circumstances of the breach.

Changes to the Privacy Policy

This Privacy Policy will be updated periodically to reflect any changes to the way in which we manage PHI or in accordance with legislative requirements.. For your ease of reference, the date on which the Policy was last updated is set out at the beginning of the document. We will protect your privacy and the confidentiality and security of your PHI in accordance with the current Policy applicable to PHI within Manitoba.

Challenging Compliance

Should you disagree with DSI's decision related to access to your records of PHI, or have reasonable grounds to believe that DSI is not managing your PHI in accordance with PHIA, you may appeal DSI's decision or make a complaint to the:

Ombudsman Manitoba
750 - 500 Portage Avenue
Winnipeg, MB R3C 3X1
(204) 982-9130
1-800-665-0531 (toll-free)
(204) 942-7803 (fax)

Contact Information

We welcome your comments regarding this Policy. If you have questions about this Policy, or concerns or complaints regarding our procedures and practices on how we

manage PHI in our possession or our compliance with PHIA, please contact:

Title: Mr. Sidney Soil

Address: DOCUdavit Solutions Inc.
28 Eugene St.
Toronto, ON
M6B3Z4

Email: privacy@docudavit.com

